

Notice of Allowability

Application No.

10/718,090

Examiner

EMEM EKONG

Applicant(s)

RODRIGUEZ ET AL.

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2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the patent application filed on November 20, 2003.
2. ☒ The allowed claim(s) is/are 1-18 and 20.
3. ☒ The drawings filed on 11/20/03 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 11/20/2003
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 07/25/2005.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An Examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to Applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this Examiner's amendment was given on a telephone interview with James E. Boice on July 25, 2005.

2. The application has been amended as follows:

Claims

a) **Claims 18** has been amended as follows:

18. (currently amended) A cellular phone capable of receiving voice mail messages, the cellular phone comprising an on-board phone recorder for recording a received voice mail message;

wherein the voice mail message is received from a system for transmitting the voice mail message, the system comprising:
a radio including:

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a receiver capable of receiving a public broadcast signal on a first frequency and a voice mail signal on a second frequency, the voice mail signal including a voice mail message,

a demultiplexer capable of separating the signals on the first and second frequencies,
and

an output circuit capable of amplifying and sending the public broadcast signal to a public broadcast output, the public broadcast output coupled to an amplifier and speaker for audio reproduction of the public broadcast signal, the output circuit also capable of outputting the voice mail signal to a voice mail output;

a recorder coupled to the voice mail output, the recorder including:

an identifying means for identifying a voice mail message addressed to a specified cellular phone associated with the radio, and

a recording means for recording only the voice mail message addressed to the specified cellular phone; and

a repeater coupled to the recorder, the repeater capable of transmitting the recorded voice mail message addressed to the specified cellular phone.

a) **Claim 19** has been canceled.

Allowable Subject Matter

3. Claims 1-18 and 20 are allowed and they were renumbered 1-19.

4. The following is an examiner's statement of reasons for allowance:

Consider claims 1, 9, and 18, the best prior art found during the examination of the present application, Brown et al. (U.S. Patent No. 6,397,076 B1), fails to disclose a system, method and cellular phone for receiving a voice mail message, the system comprising: a radio including: a receiver capable of receiving a public broadcast signal on a first frequency and a voice mail signal on a second frequency, the voice mail signal including a voice mail message,

a recorder coupled to the voice mail output, the recorder including: an identifying means for identifying a voice mail message addressed to a specified cellular phone associated with the radio, and a recording means for recording only the voice mail message addressed to the specified cellular phone; and

a repeater coupled to the recorder, the repeater capable of transmitting the recorded voice mail message addressed to the specified cellular phone.

Brown et al. discloses method and apparatus for dispatch communications in a broadcast radio system. Brown et al. further discloses in figure 1, a radio receiver comprising of a demultiplexer and an output circuit as that of the claim, however the receiver is not capable of receiving a public broadcast signal on a first frequency and a voice mail signal on a second frequency.

Brilla et al. (U.S. Patent No. 6,389,276 B1) discloses systems and methods for providing voice mail notification from a separate voice mail system to mobile telephone, and further discloses voice mail messaging system that identifies voice mail message

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addressed to a specified cellular phone (subscriber) associated with the radio and recording means for recording only the voice mail message addressed to the specified cellular phone (see fig. 1 and 2, col. 1 lines 15-55 and col. 2 lines 5-45).

However, Brilla et al. fails to disclose the repeater coupled to a recorder, the repeater capable of transmitting recorded voice mail message addressed to the specified cellular phone.

Rosener et al. (U.S. Pub. No. 2002/0028655 A1) discloses in figure 1, a repeater system coupled to a cellular phone that is capable of transmitting recorded voice mail message.

However, Rosener et al. fails to disclose a repeater coupled to a recorder and no suggestion or motivation to couple the repeater to the recorder as claimed in the present application of Rosener et al. Therefore, this limitation, in conjunction with the other limitations recited in claims 1,9 and 18 is novel and unobvious in view of Brown et al., and further in view of Brilla et al., and further in view of Rosener et al. and prior art if record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Conclusion

5. Any response to this office action should be faxed to (703) 872-9306 or mailed to:


Commissioner for Patents
P.O.Box 1450
Alexandria, VA 22313-1450

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EMEM EKONG whose telephone number is 571 272 8129. The examiner can normally be reached on 8-5 Mon-Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOSEPH FEILD can be reached on 571 272 4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EOE
07/25/05


RAFAEL PEREZ-GUTIERREZ
PATENT EXAMINER
7/28/05